No. 508.

Office Supreme Court U. S.
FILED
JAN 25 1901
JAMES H. McKENNEY,
Clerk.

Motion to Advance.

No. 508.

Filed Jan. 25, 1901.

Supreme Court of the United States.

OCTOBER TERM, 1900.

CASS FARM COMPANY, Limited, et al.,
Plaintiffs in Error,

vs.

THE CITY OF DETROIT et al.,
Defendants in Error.

Motion to Advance Cause and Affidavits in Support of Motion.

HENRY M. CAMPBELL,
Counsel for Plaintiffs in Error.

TIMOTHY E. TARSNEY,
Counsel for Defendants in Error.

DETROIT:
Record Printing Co., Free Press Bldg., 11 and 13 Lafayette Ave.
1901.

SUPREME COURT OF THE UNITED STATES.

October Term, 1900.

THE CASS FARM COMPANY, LIMITED, J. O. HARRIS, BRYANT WALKER, JESSIE W. RADCLIFFE, and BRYANT WALKER, Administrator of the Estate of Joseph A. Moross, deceased; WILLIAM CRAIG, ALICE C. HUTTON, JAMES CRAIG, JR., HELEN C. FRY, and S. A. BUCHANAN,
Plaintiffs in Error,
vs.
THE CITY OF DETROIT, THE BOARD OF PUBLIC WORKS, D. W. H. MORELAND, H. KALLMAN, JAMES W. MILLEN, OTTO E. C. GUELICH and THE ALCATRAZ ASPHALT PAVING COMPANY,
Defendants in Error.

No. 508.

MOTION TO ADVANCE CAUSE.

And now come the plaintiffs in error, by Henry M. Campbell, their counsel, and respectfully move this Court that the above entitled cause be advanced on the call and order on the docket and be set for hearing on the 25th day of February, 1901, for the following reasons, to wit:

1. Because the cause, as shown by the record and the accompanying affidavits, involves similar questions and the construction of the same provisions of the charter and ordinances of the City of Detroit as are in issue in the case of the City of Detroit and others, plaintiffs in error, vs. Ralzemond A. Parker, defendant in error, No. 411 in the October term, 1900, the hearing of which case has been set by this Court for the said 25th day of February, 1901; and also involves the same constitutional questions as are at issue in case No. 498 in said October term, 1900,

which has also been set for hearing on said 25th day of February, 1901.

2. Because the special and peculiar circumstances and the considerations of public interest fully set forth in the motion papers to advance said suit of City of Detroit vs. Parker, No. 411, to which reference is hereby made, apply with equal force to the advancement of the above entitled cause.

HENRY M. CAMPBELL,
Counsel for Plaintiffs in Error.

SUPREME COURT OF THE UNITED STATES.

October Term, 1900.

THE CASS FARM COMPANY, LIMITED, J. O. HARRIS, BRYANT WALKER, JESSIE W. RADCLIFFE, and BRYANT WALKER, Administrator of the Estate of Joseph A. Moross, deceased; WILLIAM CRAIG, ALICE C. HUTTON, JAMES CRAIG, JR., HELEN C FRY, and S. A. BUCHANAN, Plaintiffs in Error, vs. THE CITY OF DETROIT, THE BOARD OF PUBLIC WORKS, D. W. H. MORELAND, H. KALLMAN, JAMES W. MILLEN, OTTO E. C. GUELICH and THE ALCATRAZ ASPHALT PAVING COMPANY, Defendants in Error.	No. 508.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Henry M. Campbell, being duly sworn, deposes and says that he is counsel for the plaintiffs in error in the above entitled cause; also that he is treasurer of the plaintiff in error Cass Farm Company, Limited. That he

has had personal management and conduct of the above entitled suit, and that the questions involved in this cause are similar to those in the case of City of Detroit and others, plaintiffs in error, vs. Ralzemond A. Parker, defendant in error, No. 411, October term, 1900, of this Court, which has been set for hearing by this Court on the 25th day of February, 1901, and involves the validity of the same provisions of the charter and ordinances of the City of Detroit.

The above entitled cause is brought to this Court upon writ of error to the Supreme Court of the State of Michigan, the decision of said Court being in direct conflict with that of the Circuit Court of the United States for the Eastern District of Michigan, rendered in the suit of the City of Detroit vs. Parker, above mentioned.

That all of the special and peculiar circumstances and the considerations of public interest fully set forth in the motion papers to advance said suit of the City of Detroit vs. Parker, No. 411, to which reference is hereby made, apply with equal force to the advancement of the above entitled cause.

HENRY M. CAMPBELL.

Subscribed and sworn to before me this 22d day of January, 1901.

HENRY LEDYARD,
Notary Public, Wayne County, Michigan.

SUPREME COURT OF THE UNITED STATES.

October Term, 1900.

THE CASS FARM COMPANY, LIMITED, J. O. HARRIS, BRYANT WALKER, JESSIE W. RADCLIFFE, and BRYANT WALKER, Administrator of the Estate of Joseph A. Moross, deceased; WILLIAM CRAIG, ALICE C. HUTTON, JAMES CRAIG, JR., HELEN C. FRY, and S. A. BUCHANAN,
Plaintiffs in Error,
vs.
THE CITY OF DETROIT, THE BOARD OF PUBLIC WORKS, D. W. H. MORELAND, H. KALLMAN, JAMES W. MILLEN, OTTO E. C. GUELICH and THE ALCATRAZ ASPHALT PAVING COMPANY,
Defendants in Error.
} No. 508.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Timothy E. Tarsney, being duly sworn, deposes and says that he is corporation counsel of the City of Detroit and has appeared as counsel for the defendants in error in the above entitled cause in this court. That the questions involved in the said cause in this court are similar to those at issue in the case of City of Detroit and others, plaintiffs in error, vs. Ralzemond A. Parker, defendant in error, No. 411, October term, 1900, which has been set for hearing by this court on the 25th day of February, 1901, and involve the validity of the same provisions of the charter and ordinances of the City of Detroit.

And on behalf of the defendants in error, the deponent respectfully joins in the motion made by the plaintiffs in error in this cause, and asks that the hearing of this cause

may be had on the said 25th day of February, 1901, at the time of the hearing of said case of the City of Detroit and others, plaintiffs in error, vs. Raizemond A. Parker, defendant in error.

TIMOTHY E. TARSNEY.

Subscribed and sworn to before me this 22nd day of January, 1901.

HENRY LEDYARD,
Notary Public, Wayne County, Michigan.